Accordingly, IT IS HEREBY ORDERED:

The Indictment as to Otoniel Rodriguez-Mercado, ECF No. 1, is 3 DISMISSED with prejudice.

IT IS SO ORDERED. The District Court Executive is hereby directed to 5 file this Order, provide copies to counsel and **close** the file.

**DATED** this 19th day of February, 2016.



Stanley A. Bastian

United States District Judge